



**MEMORANDUM IN SUPPORT**

Counsel for Plaintiffs respectfully requests that oral argument be permitted on the pending motion to dismiss. Although the matter has been fully briefed, counsel for Plaintiffs respectfully suggests that oral argument on the motion will further enable this honorable Court to render a fair and equitable decision on an important area of law. Neither party will be prejudiced by permitting oral argument, and both will benefit by the fair and thoughtful resolution of this matter. For these reasons, Plaintiffs respectfully request oral argument on the pending motion to dismiss.

Respectfully submitted,

/s/ Barbara Bison Jacobson  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 21, 2004, I electronically filed the foregoing with the Clerk of Court using the CM/ECF which will send notification of such filing to Geri Hernandez Geiler, Sr. Assistant City Solicitor, Room 214 City Hall, 801 Plum Street, Cincinnati, Ohio 45202.

/s/ Barbara Bison Jacobson  
Barbara Bison Jacobson